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Attorneys for Plaintiff
 JAMES L. GARCIA

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

JAMES L. GARCIA,

Plaintiff,

v.

CLEANSOURCE, INC. and DOES 1
 through 10, inclusive,

Defendants.

CASE NO. C 08-04506 JF (PVT)

**STIPULATION AND [PROPOSED]--
 ORDER RE-SETTING CASE
 MANAGEMENT CONFERENCE AND
 RELATED DEADLINES**

This matter is current set for a Case Management Conference on February 20, 2009 at 10:30 a.m. in Courtroom 3 of the above-entitled Court. The parties have stipulated to mediation and are waiting for the Court to appoint a mediator, with the hope of holding the mediation in February, 2009.

Therefore, the parties hereby jointly stipulate as follows:

(1) That the matter will be mediated pursuant to the Northern District of California's ADR mediation program (ADR Local Rule 6), with the goal of completing the mediation by the end of March, 2009.

(2) That the Case Management Conference be re-set to a date on or around April 20, 2009.

(3) That all F.R.C.P. deadlines be re-set to coincide with the new Case Management

RC1/S248033.1/BL1

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CASE NO. C 08-04506 JF (PVT)

STIPULATION AND [PROPOSED] ORDER RE-SETTING CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES

Ropers Majeski Kohn & Bentley
 A Professional Corporation
 San Jose

1 Conference date.

2 (4) That GARCIA's response to CLEANSOURCE's counter-claim shall be filed and
3 served 10 days before the next Case Management Conference.

4 IT IS SO STIPULATED.

5 Dated: January 29, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

6
7 By: Stephan A Barber

STEPHAN A. BARBER
Attorneys for Plaintiff
JAMES L. GARCIA

8
9 Feb February
10 Dated: January 2 2009

CARTER CARTER FRJES & GRUNSCHLAG

11
12 By: DOV M. GRUNSCHLAG

DOV M. GRUNSCHLAG
MICHELLE Q. CARTER
Attorneys for Defendant
CLEANSOURCE, INC.

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14
15 WITH GOOD CAUSE SHOWN:

16 (1) The above-entitled action is hereby ordered to mediation pursuant to Rule 6 of the
17 ADR Local Rules of the United States District Court for the Northern District of California; such
18 mediation to be completed by March 31, 2009.

19 (2) The Case Management Conference is hereby re-set for April 24
20 2009 at 10:30 a.m. in Courtroom 3.


21 (3) The following deadlines are hereby re-set as follows:
22 a. per FRCP, 2009: Last day to meet and confer re: initial
23 disclosures, early settlement, and discovery plan;
24 b. per FRCP, 2009: Last day to file Rule 26(f) Report,
25 complete initial disclosures or state objection in Rule 26(f) Report, and file Case Management
26 Statement per the San Jose General Standing Order Regarding Case management in Civil Cases.

27 (4) That GARCIA's response to CLEANSOURCE's counter-claim shall be filed and
28

1 served 10 days before the next Case Management Conference.

2 IT IS SO ORDERED.

3 Dated: 2/3/09


THE HON. JEREMY FOGEL
Judge, U.S. District Court
Northern District of California

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Jose